

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Late Shri P. Nagaiah, Agricultural Extension Officer (Retired) – O.A No: 711/06 filed by Smt.P.Laxmamma, W/o Late Shri P.Nagaiah, Agricultural Extension Officer (Retired) – Regularization of Period from 15.7.1976 to 4.1.1991 – Orders – Issued:

AGRICULTURE AND COOPERATION (Vig.I)DEPARTMENT

G.O.Rt.No:875

Dated:16/7/2008

Read the following:

1. **Government Memo No:16513/ Vig.I/A2/03-7, Dt:17.6.04, Agriculture and Cooperation Department .**
2. **O.A.No: 711/2006, Filed by Smt.P.Laxmamma, W/o Late Shri P.Nagaiah, AEO (Retired).**
3. **From the Commissioner and Director of Agriculture,Hyd., Letter No: A5(1)237/06, Dated: 22.2.2006.**
4. **From the Government Pleader, Forest(S), Andhra Pradesh Administrative Tribunal, Hyderabad, Letter No:O.A.No: 711/06/GRB/06, Dated: 4.7.2008.**
5. **From the Commissioner and Director of Agriculture, Hyd. Letter No: A5(1)237/06, Dated: 22.2.2006.**

ORDER:

In a disciplinary case against Shri P.Nagaiah, Agricultural Extension Officer (Retired)(now deceased)the Disciplinary Authority i.e the Deputy Director of Agriculture, Medak issued orders terminating the services of the Agriculture Extension Officer (Deceased) with effect from 14.6.1976 without conducting regular inquiry, and no charge memo seems to have been issued by the Deputy Director of Agriculture to the Agricultural Extension Officer. On the representation made by the individual , the Commissioner and Director of Agriculture, Hyderabad set aside the orders of termination passed by the Deputy Director of Agriculture and directed him to take action against the individual duly following the CC&A Rules. The then Deputy Director of Agriculture instead of complying with orders of the Commissioner and Director of Agriculture, Hyderabad issued a show -cause notice to the individual and after obtaining explanation again issued termination orders with retrospect effect which is a serious lapse. Immediate action was not taken rectifying the above lapse and delay of over 10 years occurred in permitting the individual into duty pending disciplinary action. The Joint Director of Agriculture , Sangareddy issued posting orders to individual and the individual reported for duty on 5.1.1991 . The absence period of the individual from 15.7.1976 to 4.1.1991 was not regularized and the Commissioner and Director of Agriculture, Hyderabad in his letter Dated: 28.3.2003 has requested the Government to issue necessary orders regularizing the period from15.7.1976 to 4.1.1991 . But Government in memo dated: 17.6.2004 did not regularize the period and rejected the proposal of the Commissioner and Director of Agriculture, Hyderabad on ground that the gap period relating to the period 1976 to 1991 is more than 27 years and records might not be available to verify the facts.

2. In the mean while, the subject Agricultural Extension Officer expired . Aggrieved by the above orders of Government, the Wife of the deceased Agriculture Extension Officer filed a O.A in Andhra Pradesh Administrative Tribunal, Hyderabad seeking relief for regularization of the absence period of the deceased and to release the arrears of pensionary benefits etc. Government have filed counter affidavit in the above O.A. . The Government Pleader, Forest(S), Andhra Pradesh Administrative Tribunal, Hyderabad in his letter 4th read above, has informed the Government that the case come up for hearing before the Hon'ble Tribunal on 3.7.2008 and that after hearing both sides the Hon'ble Tribunal took a serious view for not performing the duty cast upon the department to treat the period from the termination to reinstatement as duty period and to pay the salaries after the termination orders set aside by the Tribunal. He has further informed that the question of making representation by the applicant belatedly does not arise and the Hon'ble Tribunal orally suggested to withdraw the appeal filed by the Government and pay all consequential benefits to the individual and pay all consequential benefits to the individual And compliance to the Tribunal.

3. In the light of the above position , Government have carefully examined the matter and decided to regularize the gap period from 15.7.1976 to 4.1.1991 as duty considering that inordinate delay was caused by the department in issuing posting orders to the individual and the lapses is on the part of the department in terminating the Agriculture Extension Officer without following due procedure.

4. Accordingly, Government hereby regularize the gap period from the date of termination from duty to joining duty i.e 15.7.1976 to 4.1.1991 as duty. Consequently the orders issued in the Government memo Dated: 17.6.2004 ceased to exist and stands withdrawn. The Commissioner and Director of Agriculture, Hyderabad shall take necessary further action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.R. BISWAL

PRINCIPAL SECRETARY TO GOVERNMENT

To

Smt.P.Laxmamma, W/o Late Shri P.Nagaiah,

Agriculture Extension Officer (Retired)

(Through the Commissioner and Director of Agriculture, Hyderabad)

The Commissioner and Director of Agriculture,

Hyderabad .

The Government Pleader, Forest(S), Andhra Pradesh Administrative Tribunal,
Hyderabad,

SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER